

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Miyano Machinery USA Inc.,	)	
Plaintiff,	)	
v.	)	Civil Action No. <b>08 C 526</b>
MiyanoHitec Machinery, Inc.,	)	Hon. Virginia Kendall
Thomas ("Tom") Miyano, a/k/a	)	
Toshiharu Miyano and Steven Miyano,	)	Magistrate Judge Nolan
a/k/a Shigemori Miyano,	)	
Defendants	)	<b>JURY TRIAL DEMANDED</b>
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MiyanoHitec Machinery, Inc.,	)	
Thomas ("Tom") Miyano, a/k/a	)	
Toshiharu Miyano and Steven Miyano,	)	
a/k/a Shigemori Miyano,	)	
Counterclaim-Plaintiffs	)	
v.	)	
Miyano Machinery USA Inc. and	)	
Counterclaim-Defendants	)	
Miyano Machinery Inc.,	)	
Third-Party Defendants	)	

**DECLARATION OF ALEXANDER SIMON**

I, Alexander Simon, declare as follows:

1. I reside at 19957 West Clairview Court, Grosse Pointe Woods, MI 48236. I am currently a full-time, undergraduate student at Loyola University in Chicago, Illinois.
2. At the request of counsel for plaintiff, Joel H. Bock, I attended the Michigan Minority Business Development Council's Procurement

Conference & Trade Fair (the "Conference"), which occurred at the Cobo Conference and Exhibition Center in Detroit, Michigan on May 14, 2008.

3. Using a digital camera, I took a series of photographs of a booth at the Conference. I e-mailed the digital photographs to Mr. Bock on May 14, 2008. The photographs that I e-mailed to Mr. Bock were not altered in any manner from the images originally created in my camera. Copies of the photographs I took are attached hereto as Exhibit 1 and are bates numbered MMU0022177 through MMU0022183. The photographs I e-mailed to Mr. Bock and the copies thereof attached hereto as Exhibit 1 fairly and accurately represent the booth as it appeared at the Conference on May 14, 2008.
4. The photograph bates numbered MMU00221780 shows a business card, which came from a stack of such business cards that were available on the table in front of a booth at the Conference on May 14, 2008.
5. The photograph bates numbered MMU00221781 shows a receipt for my entry to the Conference on May 14, 2008.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

June 26, 2008

Alexander Jan Simon

Alexander Simon

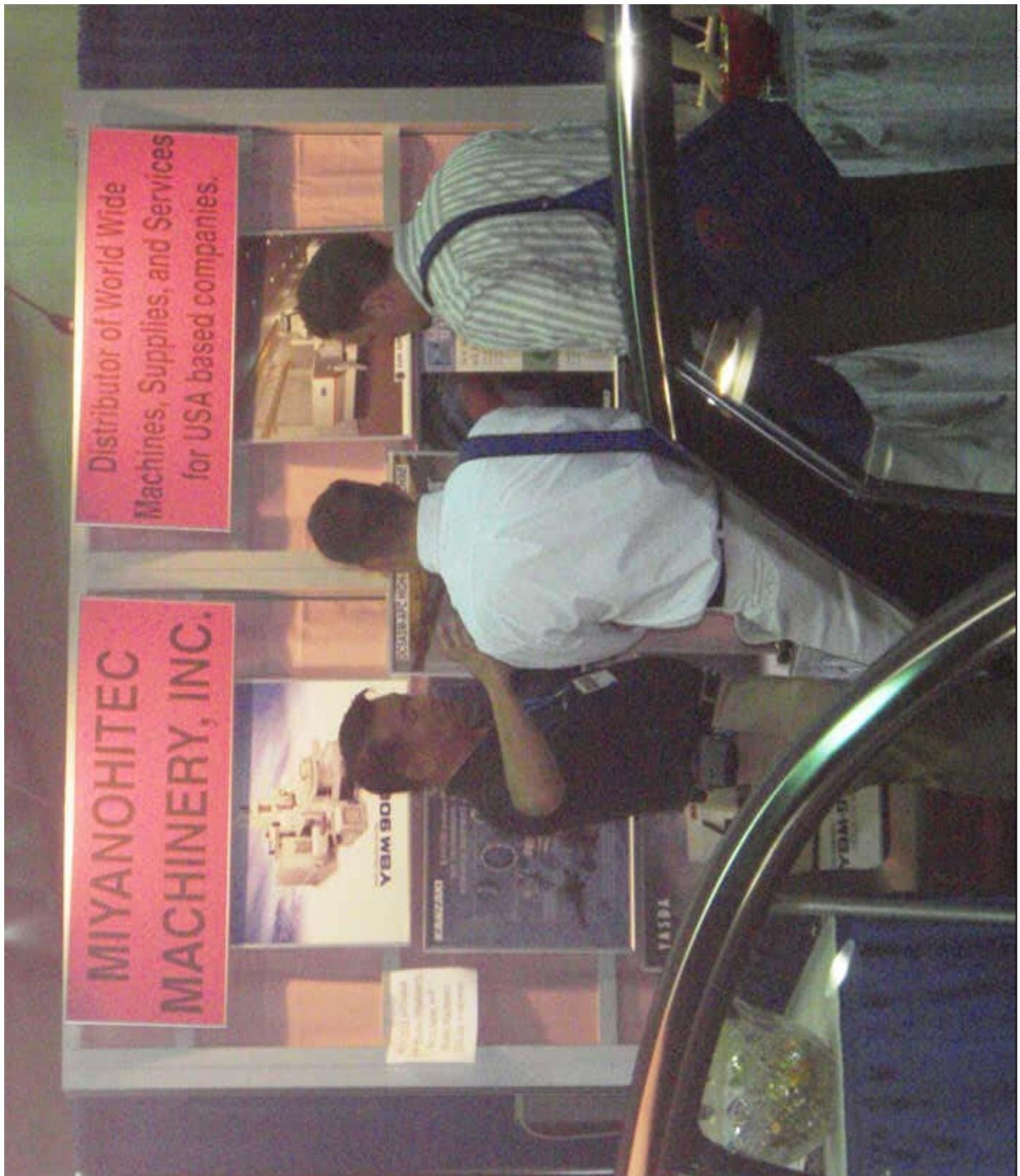
# **Exhibit 1**



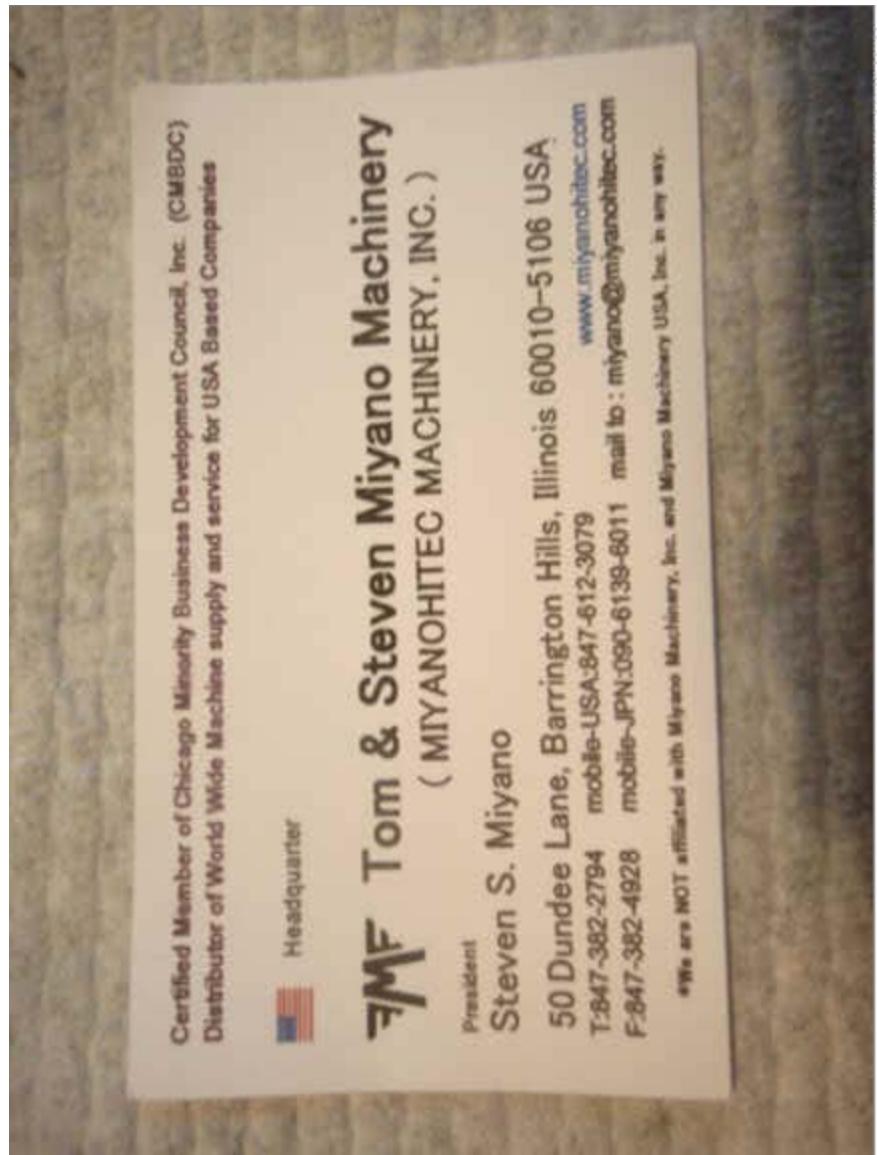
MMU0022177



MMU0022178



MMU0022179



MICHIGAN STATE BUSINESS DEPARTMENT  
311 W GRAND BLVD 4230  
DETROIT, MI 48202  
313-873-3200

C O P Y  
05/14/2008 14:27:01  
Sale:

Transaction # 125  
Card Type: VISA  
Acc: \*\*\*\*3416  
Entry: Manual  
Total: 50.00

Auth. Code: 022914  
Respon. APPROVED 022914

MMU0022181



MMU0022182



MMU0022183